COURT NO. 2
IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/S) 3616/2001
(Old No. 19783/1993)

Lekh Raj Singh,
S/o Sri Chandan Singh,
R/o Mohalla Chauhnan,
Town Jaspur,
District Nainital.

..... Petitioner

Versus

1. District Magistrate/ Administrator,
   Kisan Cooperative Sugar Mill,
   Rajpur, Pranpur,
   Nadehi,
   District Nainital.
2. General Manager,
   Kisan Cooperative Sugar Factory Ltd.,
   Rajpur,Pranpur,
   Nadehi,
   District Nainital.

..... Respondents.

Sri Paresh Tripathi, learned Counsel for the petitioner.
Sri R.K. Raizada, learned Counsel for the respondents.

27th November, 2007

Hon'ble P.C.Verma,J.

This writ petition has been filed by the petitioner challenging his dismissal order dated 30.3.1993.

2. Grievance raised by the petitioner relates to industrial dispute, the remedy of which is available under the Industrial Disputes Act before the Labour Court in view of the law laid down y the Hon'ble Apex Court in Premier Automobiles Ltd v. Kamlekar Shantaram Wadke of Bombay & Ors. Reported in **(1976) 1 SCC 496**. Since

the writ petition has been filed, therefore, this Court provides that the matter be referred to the Labour Court in a short time, say within 10 days. Labour Court shall conclude the trial within four months. Since the dispute is very old and much time has elapsed in passing the order that has been passed today, therefore I have fixed the time schedule for the Labour Court.

3. The writ petition is disposed of with the aforesaid directions.

(P.C.Verma, J.)

Prabodh